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**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

PORFORIO MORENO MUNOZ)

Petitioner,)

vs.)

UNITED STATES OF AMERICA)

Respondent.)
_____)

No. CR-F-02-5422 REC

**STIPULATION AND
ORDER REGARDING
BRIEFING SCHEDULE**

_____The petitioner has collaterally attacked his conviction for 8 USC § 1326 on the basis that he is a United States citizen. On April 28, 2005, the parties stipulated that the petitioner would submit his application for naturalization (Form N-600) to the Bureau of Citizenship and Immigration Services (BCIS) of the Department of Homeland Security. Once the application was adjudicated, the respondent would file a response to the petitioner's supplemental brief on July 1, 2005. It was anticipated that the application would be adjudicated by July 1, 2005. However, after reviewing the application, BCIS has requested that the petitioner provide more information before a decision can be rendered. It is anticipated that the application will be adjudicated by the middle of October. Accordingly, the parties stipulate that the respondent will submit a response to the petitioner's

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supplemental brief by November 1, 2005.

Respectfully Submitted,

Dated : July 1, 2005

/s/ Marianne Pansa
McGREGOR W. SCOTT
United States Attorney
by: MARIANNE A. PANSA
Assistant United States Attorney

Attorney for the Respondents

Dated : July 1, 2005

/s/ Carolyn Phillips (consent given to sign)
CAROLYN D. PHILLIPS
Attorney at Law
Attorney for Petitioner Moreno-Munoz

IT IS SO ORDERED.

Dated : ____ July 8, 2005 ____

/s/ ROBERT E. COYLE
Honorable Robert E. Coyle
Senior United States District Judge